(Final)

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IN THE HIGH COURT OF JUDICATURE AT BILASPUR, C.G.

WRIT PETITION NO. 1329 **/2005** **SINGLE BENCH**

(Petition under article 226/227 of the Constitution of India)

PETITIONER : Surendra Prasad Singh, aged about 50 years, S/o late Shri Shiv Prasad Singh at present working as a Sub Divisional Officer, Small Water Resources Sub-Division, Kondagaon, Distt. Bastar Chhattisgrah, R/o Irrigation Colony, Kondagaon, Distt. Bastar, (CG)

VERSUS

RESPONDENTS :

1) State of Chhattisgarh, through the Secretary, Water Resources Department, DKS Bhawan, Raipur, C.G.

2) Engineer in Chief, Water Resources Department, Raipur, Distt. Raipur, C.G.

3) Superintending Engineer, Indrawati Project Division, Jagadalpur, Distt. Bastar C.G.

4) Executive Engineer, Water Resources Division, Kondagaon, Distt. Bastar, C.G.

5) R.M.Agnihotri, Assistant Engineer (Rural), in the office of Executive Engineer, Water Resources Division, Kondagaon, Distt. Bastar C.G.

1342/05 Shri Mishra

P.R. No. 03-05

Presented by Shri

dated

सपथ आयुक्त

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT OF MANDAMUS/ CERTIORARI, ORDER/ORDERS, DIRECTION/DIRECTIONS ETC.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

W.P.No. 1329/2005

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	6/4/2005 Shri Vishnu Kostha, counsel for the Petitioner. Shri Sandeep Dubey, Govt. Advocate for the respondents No. 1 to 4/State. Heard. By this petition under Article 226/227 of the Constitution of India the petitioner seeks to question the propriety of the order dated 15.3.2005 passed by the Deputy Secretary, Water Resources Department whereby the petitioner has been transferred from the post of Sub Divisional Officer, Sub-Division, Kondagaon to the post of Assistant Engineer (Rural) in the office of the Executive Engineer, Water Resources Department, Kondagaon in place of Respondent No.5 Shri R.M.Agnihotri and the said Respondent No.5 has been transferred in place of the petitioner. The main grievance of the petitioner is that the Respondent No.5 is not eligible to be posted as S.D.O. in Small Water Resources Sub Division, Kondagaon and he has been posted in place of the petitioner, and as the petitioner is looking at the Nabard work, during the pendency of the said work he cannot be transferred elsewhere. Learned counsel for the petitioner submits that the petitioner may be allowed to make a representation to the Respondent No.1; to which learned State counsel has no objection. Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, in the opinion of	

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आदेश पत्रक

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मामला क्रमांक W.P. No. 1329/2005 **सन् 200**

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

this Court the limited prayer made by learned counsel for the petitioner appears to be reasonable. Therefore, the petitioner is allowed to make a representation within a period of one week from today to the respondent No.1 raising all his grievances and in turn the Respondent No.1 shall decide the said representation in an objective manner within a period of 30 days from the date receipt of such representation, after considering all the points raised by the petitioner and till the decision on the representation is made, the petitioner shall not be relieved, if he is already not relieved.

With the direction aforesaid, the petition stands disposed of finally.

Consequently M(W)P No. 1037/2005 and I.A. No. 2523/2005 also stand disposed of.

Certified copy as per Rules.

Sd/-
L.C. Bhadoo
Judge